



980448
EO-2

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

March 10, 1999

Reply To
Attn Of: ECO-088

Ms. Karyn L. Wood, Forest Supervisor
Wallowa-Whitman National Forest
La Grande Ranger District
3502 Highway 30
La Grande, Oregon 97850

Dear Ms. Wood:

The Environmental Protection Agency has reviewed the Beaver Creek Fuels Reduction and Other Restoration Activities Draft Environmental Impact Statement (DEIS). We are submitting comments on the DEIS in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. We apologize for the delay in providing comments, and hope that they will be useful as you work toward producing a Final EIS.

The Beaver Creek project area involves approximately 16,000 acres of National Forest System Lands, of which 12,735 acres are suitable for wilderness designation. The project area serves as a back-up municipal water supply for the City of La Grande. It also provides extremely important wildlife habitat and refuge, particularly for American marten, elk, black bear, and a host of old growth related plant and animal species. As stated in the DEIS (p. 1-5), the high integrity ratings and unique qualities of the area make the Beaver Creek analysis area important in the larger landscape view.

Past and ongoing practices of fire suppression have resulted in fuels build-up that the Forest Service believes must be addressed in order to prevent wildfire and to fulfill their responsibility to protect the municipal water supply. There is also acknowledgement that management activities, such as logging, road and trail building, heavy equipment use, and so on pose an increased fire hazard risk that would not otherwise exist beyond the condition of heavy fuels.

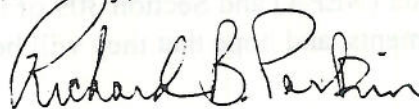
As stated in our scoping letter of March 24, 1997, we urge you to protect the integrity of the roadless area so that it can serve as a foundation for forest ecosystem health and recovery, while you work to reduce fuel loads using the lowest possible impact methods. Roadless areas such as the Beaver Creek project area, which are outside the area covered by the President's Forest Plan are, we expect, covered by the Forest Service's recently enacted moratorium on road

building. This should have a significant effect on the proposed actions and the preferred alternative, but has not been addressed in the DEIS. With or without a moratorium, we are concerned that the preferred Alternative 3, as well as action alternatives 2 and 5, are excessively intrusive and damaging to the ecological integrity and values of the roadless area. Alternative 4 or a modified Alternative 4 would appear to be the least damaging approach while still addressing major fuels areas.

Our detailed comments, which pertain primarily to the ecological impacts to the roadless area, the need and mandate to maintain roadless area integrity, and the selection of an environmentally preferred alternative, are enclosed. We appreciate the effort the Forest Service has made to develop alternatives that partially curb the loss of roadless area character and values. However, we are concerned about the precedent setting nature of the proposed action, and the unmitigatable impacts, particularly to wildlife, that would result. While the need to reduce fire risk is real and pressing, we believe a lower impact course of action is available and advisable.

We have rated the DEIS as EO-2, Environmental Objections, Insufficient Information. An explanation of the rating is enclosed for your use. If you have questions or would like to discuss these comments further, please contact Elaine Somers of my staff at (206) 553-2966. Thank you for the opportunity to comment.

Sincerely,



Richard B. Parkin, Manager
Geographic Implementation Unit

Enclosures

Water quality. Beaver Creek is listed as water quality impaired on the Clean Water Act Section 303(d) list for Oregon. The stream is listed for temperature and flow modification. There are also ongoing turbidity problems, which limit the watershed's usefulness as a water supply for La Grande. With these conditions in mind, and in view of the Forest Service's Memorandum of Agreement (MOA) regarding management of the Beaver Creek watershed to support La Grande drinking water supplies, an alternative that involves few or no new roaded stream crossings would seem a logical choice, as would an alternative to limit or minimize human access. Alternative 4, or a modification of Alternative 4 appears to best support these needs while still addressing major fuel sources.

Soils. It is significant that 80% of the affected watershed has soils rated as high or very high compaction hazard potential. The soils, which are derived mainly from volcanic ash, are highly permeable and have high water storage capacity. Thus, the importance of maintaining the physical integrity of the soil is important to maintaining water quality and the health of the watershed, particularly with respect to drinking water supplies. Disturbance to soils with a high potential for compaction damage can affect basin hydrology in terms of runoff, infiltration and purification, support of stream base flows, wet meadows, and aquifer recharge. Consequently, alternatives that minimize entry, use of machinery, and heavy-handed clearing techniques will be most appropriate in terms of protecting soil physical properties and water quality.

The DEIS includes an estimate of detrimental soil conditions resulting from silvicultural treatments, which does not include soils damaged by the creation of fuel reduction corridors, trails, and roads. The action alternatives call for either 1/4 mile wide fuel reduction corridors (FRCs) or 200 ft wide FRCs; trails will be wide enough to accommodate all terrain vehicles (ATVs); and roads, whether permanent, temporary, or obliterated constitute soils damage that is essentially permanent (p. IV-15). From our perspective, this damage is notable, particularly in an area where the high ecological, social, and economic values result from its undisturbed qualities.

None of the silvicultural prescriptions include horse logging, a technique that produces minimal soil disturbance. We recommend that it be used, where possible, in lieu of machinery for yarding wood, and that the area of forest clearing and disturbance for access and FRCs be minimized in the selected alternative.

Fish. We support the proposal to provide fish passage for threatened steelhead above the Reservoir, which would enable them to re-inhabit waters they historically occupied. Since the passage facility would also allow passage of brook trout, which could have a negative effect on federally listed steelhead populations, we support Oregon Department of Fish and Wildlife's (ODFW) recommendation to implement a long term monitoring plan to evaluate the impacts of the passage facility. We also would like to see more monitoring/sampling for bull trout in the project area to inform efforts to protect this species' habitat.

Wildlife. The Beaver Creek area provides security habitat for elk and deer, denning habitat for black bears, nesting habitat for Northern goshawks, pileated woodpeckers, and all the

U.S. Environmental Protection Agency
Detailed Comments Regarding
Beaver Creek Fuels Reduction and Other Restoration Activities
Draft EIS

Roadless area impacts. As stated in the DEIS (p. 1-5), high integrity ratings and unique qualities make the Beaver Creek analysis area important in the larger landscape view. While 12,735 acres are considered suitable for wilderness designation the heart of the roadless area is considered to include 5,689 acres (p. IV-56). According to the Interior Columbia Basin Ecosystem Management Project (ICBEMP) scientific findings, roadless areas often serve as an important stronghold for fish and wildlife, and the Beaver Creek analysis area is an excellent example of this characteristic. [Note: The DEIS should clarify why there is such a large discrepancy between potential wilderness acreage and roadless area acreage. What are the requirements for each designation?]

New road construction is planned for all proposed action alternatives. However, the Beaver Creek project area should now be protected under the Forest Service's current moratorium on road building in roadless areas. Also, in light of the roadless character and values of the project area, the proposed action alternatives represent a significant departure from Governor Kitzhaber's directives, ICBEMP scientific findings, and Forest Service ecosystem management guiding principles (see *An Ecological Basis for Ecosystem Management*, GTR RM-246, p. 3).

The DEIS indicates that the roadless, semi-primitive setting is in greatest demand and shortest supply (p. IV-57). Road construction, combined with extensive trail construction and clearing for 200 foot wide or quarter mile wide fuel reduction corridors (FRCs), will result in significant habitat fragmentation, increased human access with the associated risk of fire ignition, decreased wildlife security and increased hunting pressure, regional decline of sensitive species, e.g., the American marten, and degradation of suitable lynx habitat. Whether or not a road, once constructed, is closed or obliterated, negative effects to wildlife remain (p. IV-41). We urge that solutions to achieve fuels reduction avoid establishing precedent-setting actions with the potential to significantly affect the integrity of the area and compromise long-term resource options.

The preferred Alternative 3 calls for the largest amount of road construction, with 5.5 miles of temporary road, 1.6 miles of permanent road, and 2.84 miles of road reconstruction. This road building activity includes 7 stream crossings with associated impacts to water quality and riparian habitat. Alternative 4 would involve the least amount of road building, with 1.2 miles of temporary road, no stream crossings, no permanent road, and no miles of road reconstruction. We recommend that the Forest Service adopt an alternative that maximizes the agency's ability to respect roadless area character and ecological values. Alternative 4 (or a modified Alternative 4) is the best option presented in the DEIS for achieving this.

needed habitat components for American marten, particularly security from predation. According to ODFW, it also provides suitable lynx habitat. With respect to wildlife impacts, including decreased security cover, increased human access, extent of habitat fragmentation, and provision of wildlife corridors, the action alternatives from least to most impact are aligned as follows: Alternative 4, 2, 3, 5 (p. IV-41 to 43). All action alternatives include extensive trail construction in addition to FRCs and road construction. While wildlife habitat values are impacted by all action alternatives, Alternative 4 maintains important wildlife habitat values.

American pine marten. American pine marten is a management indicator species for old growth and mature forest habitat for the Wallowa-Whitman National Forest. An adequate food supply (prey base) and protection from predators are the two most important factors affecting marten persistence. Habitat fragmentation that would result from the action alternatives would impact 7 of the 9 existing home ranges for American marten. The preferred Alternative 3 includes perimeter treatments that isolate the Beaver Creek area from adjacent subwatersheds and increases marten vulnerability to predation; connective corridors are eliminated. Alternative 5 affects all marten home ranges and causes the greatest loss of suitable habitat. Alternative 2 includes heavy disturbance from new permanent and temporary road construction, road reconstruction, and effectively removes the project area from future consideration as wilderness.

Alternative 4 would continue to provide habitat that supports a source population for American marten. Alternative 4 maintains marten travel corridors, old growth connectivity, and overall connectivity inside and outside the project area with adjacent subwatersheds (p. IV.-45), while treating the higher fuel areas. For successful management of this species as well as its habitat and the host of associated species, it makes sense to select an alternative that is protective of these elements.

Elk. Elk is a forest management indicator species for forage and cover. As such, they serve as "a barometer for healthy habitats for mule deer, white-tailed deer, bear, and cougar" as well (p. III-27). Beaver Creek is noted for providing summer security habitat for elk due to its contiguous forest cover and roadless character. In recent years, the 80,000 acre Dry Beaver-Ladd Canyon Elk Enhancement (DBLC) project, which includes the Beaver Creek project area, was initiated to encourage elk to move from private lands onto public land. The effectiveness of the DBLC project would be compromised with the extensive building of roads, trails, and FRCs proposed in the action alternatives, and particularly in the preferred Alternative 3 and Alternative 5. The lack of security cover and increased human access will force elk to seek refuge elsewhere (on private lands), and will increase their vulnerability to hunters, poachers, accidents, and the hostilities of private land owners. Alternative 4 does the best job among proposed alternatives of providing needed security habitat.

Forest Plan management direction. Clarification is needed in the DEIS (p. II-6) regarding the recommendation of the ID team to revisit the Forest Plan management direction for the Beaver Creek project area. It is not clear whether they are contemplating more or less protection for this roadless area. We would expect and recommend greater protection for the

area to maintain roadless area values, but the wording seems to indicate otherwise.

Long term management and the role of fire. Other than protection of the La Grande municipal water supply, the DEIS does not describe what the long term management regime will be for the Beaver Creek project area. Does the Forest Service plan to reinstate fire as a natural process in this area once fuels are at a manageable level? Will prescribed fire be applied on a broader scale? If not, we anticipate that the Forest Service will want to repeatedly enter this area to control fire and fuel levels in a manner similar to what is being proposed now. Eventually, all of the project area would suffer from these intrusive management actions and decline in ecological and social/recreational value. The anticipated future management regime should be described, and the reasonably foreseeable activities associated with that regime disclosed as part of the cumulative effects discussion in the DEIS.

Cumulative Effects. Outside the project area, much of the La Grande Ranger District is very heavily logged and roaded, with many areas reaching 4 to 6 miles/square mile road density. Consequently, the Beaver Creek project area is a refuge and stronghold for many sensitive and threatened plants, mammals, and fish and is critical as a foundation for ecosystem recovery. The roads, clearing, and disturbance proposed within the project area are significant and, when viewed cumulatively within a landscape context, these impacts are disproportionately damaging for species and ecological processes vulnerable to these impacts. According to the Forest Service's own guiding principles for ecosystem management, you must ensure that "the potential exists for all biotic and abiotic elements to be present with sufficient redundancy at appropriate spatial and temporal scales across the landscape." These landscape-level cumulative impacts have not been adequately characterized in the DEIS, and consequently are not being sufficiently evaluated for the purpose of decision making.

Alternatives. All alternatives presented are below-cost timber sales (p. IV-54). Nationwide, the Forest Service's timber program is losing money, and increasingly the rationale for timber removal is to restore forest health and integrity. Consequently, economic viability of the sale is not the primary purpose and need for this project and, in terms of protecting the municipal water supply for La Grande, it should not be a key deciding factor. Clearly, maintaining integrity of the project area for fish, wildlife, water quality, and the roadless and semi-primitive setting for ecological and recreational values, while achieving important fuels reduction and fire protection, should be the key issues for alternatives development and selection. From our perspective, Alternative 4 is the only proposal offered that may be viable for achieving these goals, although it can be improved.

Environmentally preferred alternative. While we agree that fuels reduction to offset risk of catastrophic wildfire is a desirable goal for this project, we believe that, in general, the Forest Service action alternatives generated are unnecessarily intrusive and damaging to the roadless area character and values associated with the Beaver Creek analysis area. According to Forest Service guiding principles for ecosystem management, "human intervention should not impact ecosystem sustainability by destroying or significantly degrading components that affect

ecosystem capabilities." The capabilities that are in short supply and high demand in this case are provision of a municipal drinking water supply, scarce high quality habitat for fish and wildlife, and a semi-primitive roadless area for recreation and the range of ecological values it provides. The preferred Alternative 3 would have substantial, and we believe unnecessary impacts, in terms of creating 1/4 mile wide fuel reduction corridors, isolating the Beaver Creek analysis area from its subwatersheds due to the perimeter clearing, road construction and reconstruction, and building of trails.

Unfortunately, each of the action alternatives would substantially diminish the roadless character and values of this important area. Alternative 4 would most respect the roadless character and the values for wildlife, fish, non-motorized semi-primitive recreation, and water quality, while still addressing many high fuels areas. With respect to post-project high and low/moderate fire intensity potentials, there is a difference of only 300 acres between the preferred Alternative 3 and Alternative 4 (p. S-14).

Based upon the analysis in the DEIS and the substance of our review comments here, the only proposed action alternative that is sensitive to maintaining the important features of the Beaver Creek project area is Alternative 4. However, even Alternative 4 reduces the value of existing wildlife habitat, removes 2,157 acres from semiprimitive non-motorized designation, renders 2,135 acres ineligible for wilderness designation, and violates the road building moratorium. Consequently, we would prefer to see a modification of Alternative 4 be adopted, which includes provisions suggested by ODFW. This would involve one or both of the following two proposals:

- (1) Remove dead trees only adjacent to and within 100 feet of existing roads. Establish FRCs not exceeding 100 feet in width in roadless areas using no heavy equipment. Remove only dead material less than 16 inches d.b.h. in FRCs within roadless areas using helicopter only. Lay out the FRCs in a serpentine path to minimize visual corridor effect and have periodic sections of no treatment for habitat connectivity. Use a fire lookout, establish a fire cache, and limit public entry during extreme fire periods in the watershed.
- (2) Establish conditions in #1 above, and create 200 foot openings at various strategic locations in the watershed for helicopter drops for fire fighting activities.

In addition to the above, we urge that no new roads, temporary or permanent, be planned or constructed pursuant to the moratorium on road building in roadless areas, and that the Forest Service implement methods to gate or otherwise control access by ATVs where FRCs and trails are constructed. This is important as an attempt to ensure that the increase in human access levels is constrained to foot traffic only.

U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections

The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment, February, 1987.

LETTER REPORT

D

CEQ Number: 980448	ERP Number : AFS-L65317-OR
Rating: EO2	EPA Comment Letter Date: 03/10/99
Summary Paragraph of Comment Letter (for Federal Register): EPA is concerned about the precedent setting nature of the proposed action, and the unmitigatable impacts, particularly to wildlife, that would result. While the need to reduce fire risk is real and pressing, EPA believes a lower impact course of action is available and advisable.	

Save and Exit

EPA expressed environmental objections with potential adverse impacts to water quality, integrity of the roadless area and impacts to wildlife, especially steelhead, pine marten and elk.

